DETAILED ACTION

1. The finality of the Office Action dated 11/13/09 is withdrawn, and new rejections based on a newly discovered reference to a knob follow.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 14-22, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Appleman (U.S. Patent 2,693,165) in view of Pollock et al. (U.S. Patent 5,913,414), Howie, Jr. (U.S. Patent 5,845,365) and Snider (U.S. Patent 6,860,224).

Regarding claim 14, Appleman discloses a handle mounted to pivot about an axis to actuate at least one electric switch unit (Figs. 1-3) and that is illuminated by a light source substantially disposed along the axis (30--the reflector is acting as a source of light), the handle including a cap forming a disk

and a gripping tab that protrudes in a diametral plane (Fig. 1) and delimits a hollow internal space (Fig. 2); a light diffuser element (51) housed in the handle (Fig. 2), and that conducts the light originating from the light source from beneath an integrated mechanical base made of opaque material to the hollow internal space of the cap (Fig. 2); wherein the cap (50) is made of translucent or transparent material capable of allowing light to travel to the outside (Fig. 2), and wherein the disk portion of the cap covers the integrated mechanical base (Fig. 2--see the cross section of the knob with the mechanical base). Appleman does not disclose the diffuser element extending into the hollow space of the cap, a cap with a monoblock assembly or a display pointer as described in the claim.

Pollock et al. discloses a light diffuser element (50) that extends into the hollow space of the cap (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Pollock et al. in the apparatus of Appleman to create the desired decorative effect for an electric appliance.

Howie, Jr. discloses the cap forms a monoblock assembly with the disk portion and a gripping tab portion (Fig. 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Howie, Jr. in the apparatus of Appleman to lessen inventory costs by lessening the number of parts.

Snider discloses the handle further including an angular position display pointer made of the same material as the integrated mechanical base and

molded together therewith, the angular position display pointer extending into the gripping tab portion of the cap (Figs. 1 and 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Snider in the apparatus of Appleman "to illuminate the perimeter of the actuator such that the user could confidently grasp it during nighttime operation" (column 2, lines 35-40, of Snider).

Concerning claim 15, Appleman discloses the mechanical base is of generally annular shape (Figs. 2 and 3) and includes on its underside at least one actuation member interacting with a mechanism (Fig. 1)

Regarding claim 16, Appleman discloses the light diffuser element includes a light entrance face (Fig. 2, top), traverses the annular-shaped base via a central orifice aligned with the axis (Fig. 2, top), and includes a light emitter in the hollow internal space of the cap to diffuse the light to the sides (Fig. 2, middle--the reflector is a light emitter).

Concerning claim 17, Appleman discloses the light emitter housed in the hollow internal space of the cap is shaped like a prism and receives the light from a light entrance unit attached to the bottom of the handle (Fig. 2, reference number 30).

Regarding claim 18, Appleman discloses the light diffuser element is housed in the handle while being attached by interlocking or snap-fitting in a sealed manner to the handle (Fig. 2, top), the light emitter itself being housed in a sealed manner in the hollow internal space of the cap (Fig. 2, reflector is a light emitter).

Regarding claim 20, Appleman, Pollock and Howie, Jr. et al. do not disclose the pointer being an "L" shape. Making the pointer in the shape of an "L" is considered to be an obvious variation. Since the pointer is well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the pointer in the shape of an "L", since changes in shape involve only routine skill in the art. See MPEP 2144.04.

Concerning claim 21, it consists of process limitations in an apparatus claim, which are not given patentable weight. See MPEP 2113.

Regarding claim 22, Appleman discloses the handle (Fig. I--larger horizontal protrusions) being attached to a tubular rotary actuator (Fig. 2, top left) whose central bore allows the light beam originating from the light source to pass through (Fig. 2) and that is provided with a cam shape (42, Fig. 3) acting on at least on electric unit control cursor (column 2, lines 30-40). Appleman, Pollock et al. and Howie, Jr. do not disclose a plurality of cam shapes.

Using a plurality of cam shapes is considered to be an obvious variation. Since the cam shape is well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a plurality of cam shapes to activate a plurality of switches, since duplicating parts only involves routine skill in the art. See MPEP 2144.04.

Regarding claim 24, Appleman and Pollock et al. do not disclose a bottom bowl in an flange. Howie discloses at a bottom a bowl made in a flange (Fig. 6), itself housing the handle (Fig. 6), and a seal including a lip pressing against the tubular actuator (Fig. 5, middle).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Howie in the apparatus of Appleman and Pollock et al. to seal the handle with the actuator.

Concerning claim 25, Appleman and Pollock et al. do not disclose a reinforcement. Howie discloses the seal is stiffened by a reinforcement (25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Howie in the apparatus of Appleman and Pollock et al. to seal the handle with the actuator.

Concerning claim 26, Appleman and Pollock et al. do not specifically disclose the gripping tab as being colorless. Making the gripping tab colorless translucent or transparent material, the color of the light emitting by the source and transmitted to the gripping tab being correlated with that of the material of the mechanical base is considered to be an obvious variation, since changes of aesthetics involve only routine skill in the art. See MPEP 2144.04.

Regarding claim 27, Appleman discloses a handle mounted to pivot about an axis to actuate at least one electric switch unit (Figs. 1-3) and that is illuminated by a light source substantially disposed along the axis (30--the reflector is acting as a source of light), the handle including a cap forming a disk and a gripping tab that protrudes in a diametral plane (Fig. 1) and delimits a hollow internal space (Fig. 2); a light diffuser element (51) housed in the handle (Fig. 2), and that conducts the light originating from the light source from beneath an integrated mechanical base made of opaque material to the hollow internal space of the cap (Fig. 2); wherein the cap (50) is made of translucent or

transparent material capable of allowing light to travel to the outside (Fig. 2), and wherein the cap covers the integrated mechanical base (Fig. 2) the mechanical base is of generally annular shape (Figs. 1-3) and includes on its underside at least one actuation member interacting with a mechanism (Figs. 1 and 2), wherein the handle further includes an angular position display pointer (see flat part with small point indicating the function, Fig. 1) made of the same material as the integrated mechanical base and molded together therewith (Figs. 1 and 2--see cross section in Fig. 2 to show that the material is the same).

Appleman does not disclose the diffuser element extending into the hollow space of the cap.

Pollock et al. discloses a light diffuser element (50) that extends into the hollow space of the cap (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Pollock et al. in the apparatus of Appleman to create the desired decorative effect for an electric appliance.

Howie, Jr. discloses the cap forms a disk portion and a gripping tab portion (Fig. 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Howie, Jr. in the apparatus of Appleman to lessen inventory costs by lessening the number of parts.

Snider discloses the handle further including an angular position display pointer made of the same material as the integrated mechanical base and

molded together therewith, the angular position display pointer extending into the gripping tab portion of the cap (Figs. 1 and 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Snider in the apparatus of Appleman "to illuminate the perimeter of the actuator such that the user could confidently grasp it during nighttime operation" (column 2, lines 35-40, of Snider).

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Appleman in view of Pollock, Howie, Jr. and Snider and further in view of Demi (U.S. Patent 3,421,474).

Regarding claim 23, Appleman discloses the other end of the tubular portion having a cam shape (42) to move the cursors (column 2, lines 30-40). Appleman, Pollock et al. and Howie, Jr. do not disclose a snap-fit tubular portion or a plurality of cam shapes. Demi discloses the tubular rotary actuator having a tubular portion that is snap-fitted close to one end onto a central collar of the handle (column 4, lines 3-16, and Fig. 2). Using a plurality of cam shapes is considered to be an obvious variation. Since the cam shape is well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a plurality of cam shapes to activate a plurality of switches, since duplicating parts only involves routine skill in the art. See MPEP 2144.04.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Demi in the apparatus of

Appleman, Pollock et al., Howie, Jr. and Snider to simplify the assembly of the apparatus. See column 4, lines 3-16, of Demi.

Response to Arguments

Applicant's arguments with respect to claims 14-18, 20-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHARON E. PAYNE whose telephone number is (571)272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sharon E. Payne/
Primary Examiner, Art Unit 2875